

# Calendar No. 139

82D CONGRESS  
1st Session

SENATE

REPORT  
No. 150

## CONRAD XAVIER CHARLES MAUERER

MARCH 5 (legislative day, JANUARY 29), 1951.—Ordered to be printed

Mr. McCARRAN, from the Committee on the Judiciary, submitted the following

### REPORT

[To accompany S. 631]

The Committee on the Judiciary, to which was referred the bill (S. 631) for the relief of Conrad Xavier Charles Mauerer, having considered the same, reports favorably thereon with an amendment in the nature of a substitute and recommends that the bill, as amended, do pass.

#### AMENDMENT

Strike all after the enacting clause and insert in lieu thereof the following:

That for the purposes of the immigration and naturalization laws, Conrad Xavier Charles Mauerer shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee and head tax. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

#### PURPOSE OF THE BILL

The purpose of the bill, as amended, is to grant the status of permanent residence in the United States to Conrad Xavier Charles Mauerer. The bill provides for an appropriate quota deduction and for the payment of the required visa fee and head tax.

#### STATEMENT OF FACTS

The beneficiary of the bill was born in China of German parents December 27, 1923, and last entered the United States in May 1949 in transit to Canada. Because of his German parentage he was un-

able to enter Canada and he subsequently enrolled in Georgetown University, Washington, D. C., and is presently attending that university. He is supported by funds supplied by his father. His parents are presently in Switzerland awaiting the issuance of immigration visas to enter the United States.

A letter dated November 24, 1950, to the chairman of the Senate Committee on the Judiciary from the Deputy Attorney General with reference to S. 3929, which was a bill introduced in the Eighty-first Congress for the relief of the same alien, reads as follows:

NOVEMBER 24, 1950.

HON. PAT MCCARRAN,

*Chairman, Committee on the Judiciary,  
United States Senate, Washington, D. C.*

MY DEAR SENATOR: This is in response to your request for the views of the Department of Justice relative to the bill (S. 3929) for the relief of Conrad Xavier Charles Maurer, an alien.

The bill would direct the Attorney General to record the lawful admission of Conrad Xavier Charles Maurer as of May 17, 1949. It would also direct the Secretary of State to instruct the quota-control officer to deduct one number from the appropriate immigration quota.

The files of the Immigration and Naturalization Service of this Department disclose that the alien, who claims to be stateless, is a native of China having been born of German parents in Hankow, China, on December 27, 1923. He entered the United States at the port of Anchorage, Alaska, on May 17, 1949, when he was admitted under section 3 (3) of the Immigration Act of 1924 in transit to Canada. On July 27, 1949, a warrant of arrest in deportation proceedings was issued against him, on the ground that, after admission as a transient, he had remained in the United States for a longer time than permitted under the Immigration Act of 1924.

The files further reflect that the alien resided in China with his parents until about 1937, when he went to Cologne, Germany, with his mother and sister. In 1939 he enrolled at a junior college in Switzerland remaining there until September 1943. He claimed that he resisted repeated notices which he received from the German consul advising him to return to Germany to join the Army, but during the summer of 1943 he was informed that his parents would suffer if he refused to serve in the Army. He stated that his parents were at that time in Japanese occupied China and were subject to German reprisals through the Japanese. He therefore went to Berlin in September 1943 and managed to get into the German Red Cross, serving as a Red Cross aide in Berlin hospitals until 1945. He stated that he then transferred to a hospital near the Elbe River and awaited the arrival of the American forces. When they failed to come, he stated, he crossed the river to the American troops on May 7, 1945, and 2 days later, when the war ended, he was made an Allied prisoner of war, pending investigation and clearance. He was released on July 7, 1945, and thereafter enrolled at the University of Lausanne, where he studied until December 21, 1948, when he departed for Shanghai, China, to visit his parents. The alien advised that he had intended going to Canada to study at the University of British Columbia, but that upon application for admission to Canada he was denied entry because he was considered to be a citizen of Germany, with which country Canada was technically still at war. In September 1949, he enrolled at Georgetown University in Washington, D. C. He stated that he has a power of attorney from his father to draw on his father's assets in this country. Mr. Maurer's sister is married and resides in Geneva, Switzerland. His parents, according to last information, have left China to reside in Switzerland until such time as immigration visas are issued to them by the American Consul.

The Chinese geographical quota, to which the alien is chargeable, is over-subscribed for many years and an immigration visa is not readily obtainable. The record fails, however, to present considerations justifying the enactment of special legislation granting him a preference over other aliens abroad who are awaiting an opportunity to come to this country for permanent residence. Accordingly, this Department is unable to recommend enactment of the measure.

Yours sincerely,

PEYTON FORD,  
Deputy Attorney General.

Senator James E. Murray, the author of the bill, has submitted the following information in support of the bill:

August 25, 1950.

Re S. 3929 for the relief of Conrad Xavier Charles Maurer.

Hon. JAMES E. MURRAY,

*United States Senate, Washington 25, D. C.*

DEAR SENATOR MURRAY: Senator McCarran, as chairman of the Committee on the Judiciary, has in his letter to you, dated August 14, 1950, requested certain information of you as sponsor concerning Conrad Maurer, the subject of S. 3929. For your convenience in responding to that inquiry, I am setting forth the following pertinent facts in the same numerical order as Senator McCarran's questions of August 14:

*Question No. 1*

Conrad Maurer is a white person, age 26, born in China of German parents who settled in China prior to the First World War. He filed an application for an immigration visa on the Chinese white quota in the middle of 1946. At the beginning of 1949, the Communist forces were already threatening Shanghai where Conrad Maurer lived with his parents. The American consul at Shanghai then estimated about a year's additional wait for a number to become available on the Chinese white quota. In view of that fact and the Communist danger, the American consul was entirely willing to grant a student visa to the United States. Use of a student visa, however, would have been inconsistent with, and prejudicial to Conrad Maurer's desire to settle in the United States permanently. So he declined the student visa to the United States, and instead opened negotiations for admission as a student to the University of British Columbia at Vancouver, B. C., with the thought that he would wait out his quota time profitably engaged in Canada in getting further Anglo-Saxon training and education. He was accepted at the University of British Columbia. He wanted to travel directly to Canada from Shanghai, but there was no such direct route. The only transportation from Shanghai to Canada was via the United States. Accordingly in the middle of May, 1949, with the Communists already in the outskirts of Shanghai, he left Shanghai by plane with a Canadian student visa to enter for study at the University of British Columbia, and an American transit visa permitting transit to Canada via Anchorage, Alaska, and Blaine, Wash. Immediately upon his entry at Blaine, Wash., on May 18, 1949, Conrad Maurer applied at the border for entry into Canada. The Canadian border officials denied him admission. He immediately appealed to Ottawa; but his exclusion from Canada was affirmed on the ground that he was considered a citizen of Germany, with which country Canada was still in a state of war. Conrad Maurer had theretofore been considered stateless. Return to Communist overrun China and Shanghai was out of the question. He had no home elsewhere. So he was forced to remain in the United States, and thereby lost his place on the Chinese white quota, the very thing he had sought most to avoid. Today, only passage of S. 3929 can save him.

Such are the circumstances of Conrad Maurer's entry into the United States without fault or blame under our immigration laws.

*Question No. 2*

Stranded in the United States in the middle of 1949, Conrad Maurer arranged for his admission to Georgetown University in Washington, D. C., in September 1949. He has completed 1 year of study at Georgetown, September 1949-June 1950, and is now attending Georgetown's summer session. At Georgetown he has already completed courses in American history and foreign relations, the American Constitution, public speaking, and English literature. His present student's work includes courses in American statistics and American money and banking. He has no activity or occupation other than his studies at Georgetown.

*Question No. 3*

Conrad Maurer does not now earn his own living. His family is one of means, and he is entirely dependent at this time upon ample funds on deposit in American banks, made subject by his father to Conrad Maurer's withdrawals. However, it is Conrad Maurer's sincerest wish to achieve permanent residence in the United States in order that he may lead the life of a useful member of our community with a home, occupation, and family.

*Question No. 4*

Conrad Maurer is not engaged in any activities, political or otherwise, injurious to the American public interest. To the contrary, he has a loyal respect for our institutions and our cause in the world today. The full extent of his activities, devoted to preparing himself for life as a useful American, is set forth in paragraph (2) above.

*Question No. 5*

Conrad Maurer has never been convicted of an offense under any Federal or State law. Nor has he ever been charged with any such offense. He has no criminal record of any kind anywhere.

The following information may also be of interest to the committee. Conrad Maurer's mother and father applied as he did for American immigration visas at the Shanghai consulate. In May, 1949, when the son, Conrad, left for Canada, his parents had been cleared by our Shanghai consulate for American immigration visas and numbers for them on the German quota were expected in July or August of the same year. But Shanghai fell to the Communists in May, and we closed our consulate. However, the parents' visa applications have been reestablished, without loss of registration date, at the American consulate in Zurich, Switzerland. It is expected that in the near future, the parents will get their visas at Zurich and become permanent residents of the United States. Hence, passage of S. 3929 will serve to reunite the son, Conrad Maurer, with parents permanently resident in the United States.

Doubtless, all of the information supplied in this letter will be confirmed by the Department of Justice's regular investigation and report. Any additional information or documentation desired by you or the committee will be promptly supplied.

Respectfully yours,

JOSEPH A. FANELLI.

The bill has been amended to conform with the policy of the committee in granting permanent residence in the United States to an alien as of the date of the adjustment rather than as of the date of last entry into the United States.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (S. 631), as amended, should be enacted.

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